

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In the matter of Arbitration Between:	§	
	§	
STX HULL NO: S1672 LLC,	§	
	§	
STX HULL NO: S1673 LLC,	§	CIVIL ACTION 4:16-mc-1717
	§	
STX HULL NO: S1674 LLC,	§	
	§	
and	§	
	§	
STX HULL NO: S1675 LLC,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	
	§	
STX OFFSHORE & SHIPBUILDING CO.	§	
LTD.,	§	
	§	
Defendant.	§	

**GARNISHEE BW PACIFIC MANAGEMENT PTE LTD'S
RESPONSE TO WRIT OF GARNISHMENT**

Garnishee BW Pacific Management PTE. Ltd. ("BW Pacific") by and through its undersigned counsel, hereby responds to Plaintiffs' STX HULL NO: S1672 LLC; STX HULL NO: S1673 LLC; STX HULL NO: S1674 LLC; and STX HULL NO: S1675 LLC (collectively "Plaintiffs") September 29, 2016 *Writ of Garnishment* (The "Writ," which is attached as Exhibit "A") as follows:

1. BW Pacific denies that it possesses any property or assets whatsoever in this jurisdiction belonging to Defendant STX Offshore & Shipbuilding Co. Ltd. ("STX") herein. Consequently, no grounds exist to garnish property, assets or monies from BW Pacific.

2. For the sake of good order, BW Pacific responds to the unnumbered questions and directives on Pg. 2 of the Writ as follows:

A. *What, if anything, you are presently indebted to STX and what effects, if any of STX do you have in your possession:* ANSWER - None. As of the date of the service of the Writ upon on BW Pacific and through present, BW Pacific did not possess within this District any property, tangible or intangible, payable to, held on behalf of, or to the order or for the benefit of STX. BW Pacific is not indebted to STX and has none of STX's effects in its possession. Moreover, BW Pacific does not maintain any accounts in this District containing any property, assets or monies belonging to STX.

B. *What, if anything you were indebted to STX when this Writ was served on you; and what effects, if any, of STX you had in your possession at that time:* ANSWER - None. As of the date of the service of the Writ upon BW Pacific and through present, BW Pacific did not possess within this District any property, tangible or intangible, payable to, held on behalf of, or to the order or for the benefit of STX. BW Pacific is not indebted to STX and has none of STX's effects in its possession. Moreover, BW Pacific does not maintain any accounts in this District containing any property, assets or monies belonging to STX.

C. *What persons you know of who are indebted to STX or who have effects belonging to STX in their possession:* ANSWER - Objection. This request exceeds the permissible scope of discovery relating to the garnishment action at issue, and is unduly burdensome. BW Pacific does not possess any property in

this District belonging to STX, or maintain any accounts in this District containing any property belonging to STX.

D. Do NOT pay any debt to STX : ANSWER – Not applicable, as no debts exist.

E. Do NOT deliver to STX any effects, pending further orders of the Court:

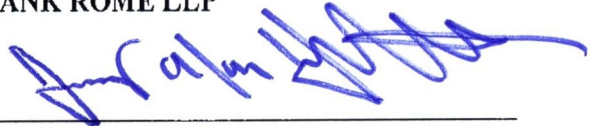
ANSWER – Not applicable, as BW Pacific has no effects of STX.

Based on the foregoing, BW Pacific respectfully requests this Court dismiss with prejudice the Process and Writ of Maritime Attachment and Garnishment in its entirety as to BW Pacific.

WHEREFORE, Alleged Garnishee BW Pacific Management Pte Ltd. prays that it may be dismissed with prejudice and with cost, expense and all other and further relief as may be just and proper.

Dated: October 17, 2016

BLANK ROME LLP



Jeremy A. Herschaft (Attorney-in-charge)

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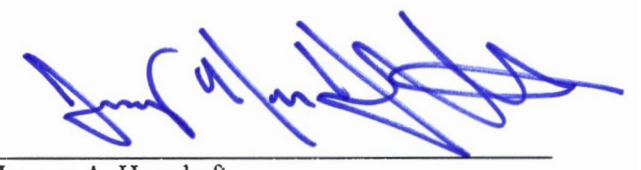
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*Attorneys for Garnishee BW Pacific
Management Pte Ltd.*

CERTIFICATE OF SERVICE

I hereby certify that on October 17, 2016, a true and correct copy of the foregoing was filed and served via the Court's ECF system upon all counsel of record. Furthermore, service was also made upon plaintiffs' counsel on the date above via email as follows:

J. Stephen Simms, Esq.
Simms Showers LLP
201 International Circle, Suite 250
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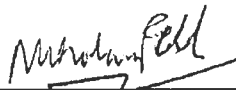
Jeremy A. Herschaft

VERIFICATION

I, Nicholas John Oxleigh Fell do hereby declare under penalty of perjury in accordance with the laws of the United States pursuant to 28 U.S.C. § 1746 that the following information is true and correct:

1. I serve as a Director of BW Pacific Management Pte Ltd. ("BW Pacific") in which capacity I have served since April 10, 2013, and I am authorized to make this statement by and on behalf of the company.
2. I am submitting this Verification in support of BW Pacific's *Response to Writ of Garnishment* filed in this matter by our Houston counsel, BLANK ROME LLP at our direction.
3. I have read the September 29, 2016 Writ of Garnishment issued by Plaintiffs STX HULL NO: S1672 LLC; STX HULL NO: S1673 LLC; STX HULL NO: S1674 LLC; and STX HULL NO: S1675 LLC (collectively "Plaintiffs") to BW Pacific. I have also read BW Pacific's responses to the Writ. I confirm that BW Pacific's responses to the Writ are true and accurate to the best of my knowledge, information and belief.

Date executed: October 17, 2016



NAME: Nicholas John Oxleigh Fell
TITLE: Director
ADDRESS: Mapletree Business City #18-01
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SINGAPORE 117438